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Entered - 3-2-99 - sb
CL 9910123 - DOBBS JORDAN

00-R-0769

CLAIM OF: THE GUIDANT INSURANCE GROUP
as subrogee of RICHARD CHANGE
1111 Ashworth Road
West Des Moines, IA 50265-3538

For damages alleged to have been sustained as a result of vehicular accident on December 10, 1998 at 2001 Lakewood Avenue.

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

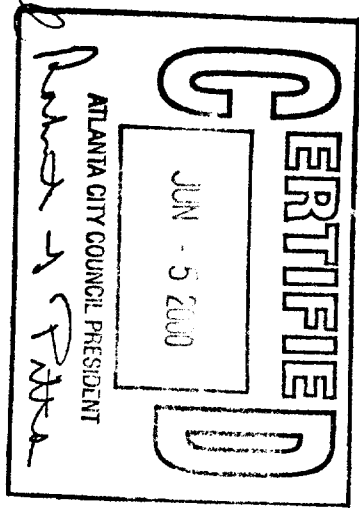
BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to THE GUIDANT INSURANCE GROUP as subrogee of RICHARD CHANGE the sum of \$592.43 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on December 10, 1998 at 2001 Lakewood Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind A. Rubens Newell*
ROSALIND A. RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY
JUN 05 2000
COUNCIL

Rosalind A. Rubens Newell
JUN 05 2000
CERTIFIED
MUNICIPAL CLERK



APPROVED
JUN 14 2000
WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-0769

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **The Guidant Insurance Group as subrogee of Richard Change** the sum of **\$592.43** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicular accident on December 10, 1998 at 2001 Lakewood Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

JUNE 05, 2000

JUNE 14, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0123

Date: January 5, 2000

Claimant / Victim RICHARD CHANGE
BY: (Atty) (Ins. Co.) The Guidant Insurance Group
Address: 1111 Ashworth Road, West Des Moines, IA 50265-3538
Subrogation: X Claim for Property damage \$ 592.43 Bodily Injury \$ _____
Date of Notice: 2-25-99 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12-10-98 Place: 2001 Lakewood Avenue,
Department Public Works Bureau: Highways and Streets Division _____
Employee involved Randy Williams Dept. Action Oral Admonishment

NATURE OF CLAIM: Claimant's vehicle sustained property damage when it was involved in a motor vehicle accident with a City of Atlanta vehicle. The driver of the city vehicle failed to maintain his vehicle in his lane causing damages in the above amount.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver X Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR DOBBS JORDAN

RECOMMENDATION:

Pay \$ 592.43 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 01-20-00
Committee Action: _____ Council Action _____



Valuing Customers As Partners

ENTERED -3-2-99 - SB
99L0123 - DOBBS JORDAN

February 16, 1999

JORDAN
02/25/99
DM

DIANNE MITCHELL
CITY OF ATLANTA
55 TRINITY AVE SW
ATLANTA GA 30335

RE: Our Insured: Richard Change
Our Claim #: 10A04236
Your Driver: Randy Williams
Your Claim#: unknown
Date of Loss: 12-10-98
Amount Due: \$592.43

Dear Ms. Mitchell:

Our insured's 1987 Chevrolet sustained damage when it was struck by a TYMCO Air Sweeper operated by Randy Williams. By virtue of our subrogation rights, we are now requesting reimbursement of the following:

Collision Payment:	\$ 92.43
<u>Insured's Deductible:</u>	<u>500.00</u>
Amount Due:	\$592.43

Please forward your draft for the net amount. Supporting documents are attached for your review.

If you have any questions, please contact the undersigned at the address or telephone number listed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Rickabaugh".

Sandra Rickabaugh
Subrogation Associate
800-247-4176 ext 5425

GENERAL RELEASE AND INDEMNIFICATION

NO. 99L0123

\$ 592.43

IN CONSIDERATION of the sum of FIVE HUNDRED NINETY-TWO DOLLARS AND .43/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and
forever discharge said City, its officers and employees, including but not limited to RANDY WILLIAMS,
from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of
whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly
for or on account of _____

property damage

which occurred on or about the 10th day of December, 1998,

at or near 2001 Lakewood Avenue

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 13th day of January, 19 2000.

Linda K. DeLoraine (LS)
THE GUIDANT INSURANCE GROUP
as subrogee of RICHARD CHANGE

The above release was read and explained to, and signed by the said Linda R. DeSomer

in our presence on the date above written.

00- R -0769

Witness

RCS# 1981
6/05/00
2:45 PM

Atlanta City Council

Regular Session

CONSENT AGENDA PAGES (1 - 10)

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0662

ITEMS ADOPTED ON CONSENT AGENDA	06/05/00 Council Meeting ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-0590 2. 00-O-0677 3. 00-O-0712 4. 00-O-0752 5. 00-O-0592 6. 00-O-0593 7. 00-O-0594 8. 00-O-0625 9. 00-O-0666 10. 00-O-0673 11. 00-O-0722 12. 00-O-0724 13. 00-O-0725 14. 00-O-0730 15. 00-O-0589 16. 00-O-0713 17. 00-O-0714 18. 00-O-0715 19. 00-O-0716 20. 00-R-0753 21. 00-R-0794 22. 00-R-0761 23. 00-R-0719 24. 00-R-0763 25. 00-R-0764 26. 00-R-0762 27. 00-R-0765 28. 00-R-0766 29. 00-R-0768 30. 00-R-0769 31. 00-R-0770 32. 00-R-0771 33. 00-R-0772 34. 00-R-0773 35. 00-R-0774 36. 00-R-0783 37. 00-R-0784 38. 00-R-0785 	<ol style="list-style-type: none"> 39. 00-R-0775 40. 00-R-0776 41. 00-R-0777 42. 00-R-0778 43. 00-R-0779 44. 00-R-0780 45. 00-R-0781 46. 00-R-0782 47. 00-R-0786 48. 00-R-0787 49. 00-R-0788 50. 00-R-0789 51. 00-R-0790 52. 00-R-0791 53. 00-R-0792 54. 00-R-0793